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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/617,519 | 07/11/2003 | Horst Jager | NHL-KEH-24 US | 2969 |
| 7590 | 10/03/2005 | | EXAMINER | |
| NILS H. LJUNGMAN NILS H. LJUNGMAN & ASSOCIATES P.O. BOX 130 GREENSBURG, PA 15601-0130 | | | TALBOT, MICHAEL | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3722 | |

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/617,519 | JAGER ET AL. | |
| | Examiner | Art Unit | |
| | Michael W. Talbot | 3722 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 July 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>12/8/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The disclosure is objected to because of the following informalities:

Refer to page 12, line 15, character reference "screw tap 1" should be changed to read
--drill 1--.

Refer to page 17, line and page 18, line 1, character reference "chip deflection end (26)"
should be changed to read --chip deflection end (25)--.

Appropriate correction is required.

Claim Objections

3. Claims 2,8,10 and 18 are objected to because of the following informalities:

Refer to claim 2, line 3, character reference "chip deflection end (26)" should be changed
to read --chip deflection end (25)--.

Refer to claim 8, line 3, character reference "chip deflection end (26)" should be changed
to read --chip deflection end (25)--.

Refer to claim 8, line 9, character reference "its other end (2)" should be changed to read
--its other end (36)--. See Figure 5.

Refer to claim 8, line 12, the colon “ : ” should be deleted from the phrase “one of: a pressure application” to read --one of a pressure application--.

Refer to claim 10, line 3, character reference “chip deflection end (26)” should be changed to read --chip deflection end (25)--.

Refer to claim 18, line 5, character reference “its other end (2)” should be changed to read --its other end (36)--. See Figure 5.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation “the spiral fluted shaft portion (2)” in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation “the spiral flutes (9,10)” in line 7. There is insufficient antecedent basis for this limitation in the claim.

The remainder of the claims is replete with “insufficient antecedent basis” infractions. The claims should be revised carefully in order to comply with 35 U.S.C. 112, second paragraph. Examples of some unclear, inexact or verbose terms used in the claims are listed above for claim 1.

Allowable Subject Matter

5. Claims 1-20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 1 and 9 are the independent claims.

Knutsson '869 is the best art of record.

Knutsson '869 shows in Figures 1-5 a twist drill (1) having a clamping ring (2) mounted in any axial adjustment position surrounding the spiral fluted shaft portion (7) of the drill for holding a countersink drill (4,6). Knutsson '869 shows the clamping ring being secured to the countersink by a threaded connection (between 2 and 3) whereby as the clamping ring is continually threaded, it exerts a pressure on a clamping shoe (3,5) thus securing it to the drill. Knutsson '869 shows the clamping shoe portion (5) positioned within the spiral flute of the drill within tunnels formed between the surface of the spiral flute and the clamping ring.

Knutsson '869 lacks the presence of a locking screw that penetrates radially and braces the clamping ring (2) against the surfaces of the spiral flute (7) with the clamping shoe (3,5) being positioned between the locking screw and the surface of a spiral flute.

Prior art of record fails to anticipate or obviate the modification of replacing the collet-like clamping system of the clamping shoe (3,5), internally threaded clamping ring (2) and externally threaded countersink drill (4,6) with a radially penetrating locking screw to provide securement of the clamping shoe to the surface of the spiral flute.

6. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mr. Boyer D. Ashley, may be reached at 571-272-4502.

In order to reduce pendency and avoid potential delays, group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 571-273-8300. This practice may be used for filling papers not requiring a fee. It may also be used for filing

Art Unit: 3722

papers, which require a fee, by applicants who authorize charges to a USPTO deposit account.

Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.

Michael W. Talbot
Examiner
Art Unit 3722
22 September 2005



BOYER D. ASHLEY
PRIMARY EXAMINER